

UNITED STATES DISTRICT COURT/SOUTHERN DISTRICT OF NEW YORK Attorney: SPENCER L. SCHNEIDER, ESQ. - 265

MERRILL LYNCH BUSINESS FINANCIAL SERVICES INC.

Index #: 07 CIV 8071 SULLIVAN

Plaintiff(s)

- against -

Date Filed:

ADDRESSING SYSTEMS AND PRODUCTS INC., ETAL

Defendant(s)

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

BYRAN E. MCELDERRY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on November 7, 2007 at 06:04 PM at

29 KING STREET  
NEW YORK, NY 10014

deponent served the within true copy/copies of the SUMMONS & COMPLAINT, CIVIL COVER SHEET, RULE 7.1 STATEMENT, JUDGE'S RULES on MARSHALL GOLDBERG, the defendant/respondent therein named,

**AFFIXING TO DOOR** by affixing a true copy/copies of each to the door of said premises, which is the defendant's/respondent's dwelling house/usual place of abode within the state. Deponent was unable, with due diligence to find the defendant/respondent or a person of suitable age and discretion, thereat, having called there on:

October 24, 2007 AT 1:00 PM

October 26, 2007 AT 7:03 PM

November 1, 2007 AT 7:57 AM

November 7, 2007 AT 6:04 PM

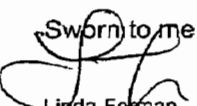
**MAILING** Deponent enclosed a true copy/copies of same in a postpaid wrapper properly addressed to the defendant/respondent at the defendant's/respondent's last known residence at

29 KING STREET  
NEW YORK, NY 10014

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on November 9, 2007 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside envelope thereof, by return address or otherwise that the communication is from an attorney or concerns an action against the party to be served.

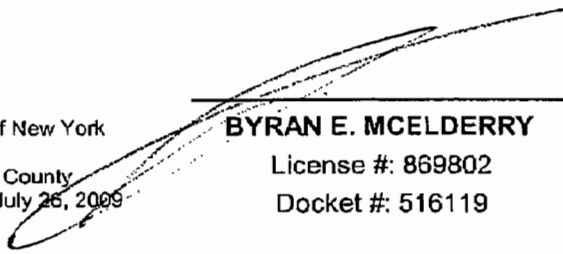
**MILITARY SERVICE** Person spoken to was asked whether the defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to me on: November 9, 2007

  
Linda Forman  
Notary Public, State of New York  
No. 01FO5031305  
Qualified in New York County  
Commission Expires August 1, 2010

Robin M. Forman  
Notary Public, State of New York  
No. 01FO6125415  
Qualified in New York County  
Commission Expires April 18, 2009

Larry Yee  
Notary Public, State of New York  
No. 01YE5015682  
Qualified in New York County  
Commission Expires July 26, 2009

  
**BYRAN E. MCELDERRY**  
License #: 869802  
Docket #: 516119

JUDGE SULLIVAN

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Merrill Lynch Business Financial Services Inc.

SUMMONS IN A CIVIL ACTION

Addressing Systems and Products Inc., Marshall  
Goldberg, Tamar Inc., and "John Doe #1" through  
"John Doe #12"

CASE NUMBER:

07 CIV 8071

TO: (Name and address of Defendant)

Marshall Goldberg, 30 Sutton Place, Englewood, NJ 07631

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)  
Spencer L. Schneider, Esq., 70 Lafayette Street, New York, NY 10013

an answer to the complaint which is served on you with this summons, within Twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK 

SEP 14 2007

DATE

Format m/d/yyyy

(By) DEPUTY CLERK